

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NEW YORK**

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THE UNITED STATES OF AMERICA,

-vs-

DAVID BURGIN,

Defendant.

**DEFENDANT’S  
SUPPLEMENTAL  
POST-HEARING SUBMISSION**

20-cr-29

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DONALD M. THOMPSON, ESQ., affirms that:

1. I am an attorney licensed to practice in the State of New York and the United States District Court for the Western District of New York, along with James P. Harrington, Esq. I represent the defendant in the above-captioned matter and I make this affirmation in that regard.

2. Pursuant to the Court’s text order (Dkt. 740), attached as Exhibit A is a certified transcript of the January 25, 2024 post-hearing argument referred to and relied upon by the defense during its September 27, 2024 in its opposition to the government’s objections to the Magistrate Judge’s Report, Recommendation, and Order and Supplemental Report, Recommendation, and Order.

Dated: October 1, 2024

s/Donald M. Thompson  
DONALD M. THOMPSON, ESQ.  
Attorney for DAVID BURGIN